

CHARLES F. COLE,	:	Order Docketing and Dismissing
Appellant	:	Appeal
	:	
v.	:	
	:	Docket No. IBIA 94-129-A
ACTING PORTLAND AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	June 28, 1994

On June 24, 1994, the Board of Indian Appeals (Board) received a notice of appeal from Charles F. Cole (appellant), pro se. Appellant sought review of a May 5, 1994, decision issued by the Acting Portland Area Director, Bureau of Indian Affairs (Area Director), disapproving his application for an Indian Business Development Program grant.

The Area Director's letter properly notified appellant that his appeal was to be filed with the Board within 30 days from the date appellant received the decision, and referred appellant to the regulations in 43 CFR 4.310-.340.

Because appellant's notice of appeal was postmarked June 21, 1994, the Board requested a copy of the return receipt card for the Area Director's decision. That card shows that appellant signed for the decision on May 13, 1994. Therefore, his notice of appeal is untimely.

Pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal from the Portland Area Director's May 5, 1994, decision is docketed and dismissed.

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Kathryn A. Lynn  
Chief Administrative Judge

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Anita Vogt  
Administrative Judge